

SENATE BILL 705

By Tate

AN ACT to amend Tennessee Code Annotated, Title 68,
relative to HIV/AIDS in the African-American
community.

WHEREAS, findings suggest that HIV/AIDS in the African-American community is a crisis separate and apart from the overall issue of HIV/AIDS in other communities; and

WHEREAS, African-Americans, especially women, are disproportionately the most severely impacted by HIV/AIDS and the least likely to receive quality care; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, is amended by adding Sections 2 through 7 as a new chapter.

SECTION 2. This chapter shall be known and may be cited as the "African-American HIV/AIDS Response Act".

SECTION 3. It is the intent of the general assembly to implement an initiative to establish culturally appropriate programs to ensure that high-quality relevant services are provided to individuals who are most at risk of contracting HIV/AIDS and least likely to receive necessary care.

SECTION 4. As used in this chapter, unless the context otherwise requires:

- (1) "Department" means the department of health;
- (2) "Fund" means the African-American HIV/AIDS Response Fund;
- (3) "High-risk community" means a community designated as high-risk for contracting HIV/AIDS by the department of health;
- (4) "Initiative" means the Statewide African-American Initiative"; and
- (5) "Office" means the office of minority health.

SECTION 5. The department, in coordination with the office, shall develop an initiative to respond to HIV/AIDS infection cases in the African-American community. The department shall appoint a statewide African-American HIV/AIDS steering committee consisting of leadership from service providers, researchers, educators, community-based organizations, the department, and the office to assist in developing and implementing the initiative.

SECTION 6. No later than July 1, 2009, the department of health shall issue proposed rules for designating high-risk communities. The rules shall include, but may not be limited to, a standard testing protocol, training for staff, community-based organization experience, and the removal and proper disposal of hazardous waste. The department shall adopt rules in accordance with the Uniform Administrative Procedures Act, title 4, chapter 5, necessary to implement and administer the fund.

SECTION 7.

(a) The state treasury shall create a fund in which moneys may be deposited to carry out the purposes of this chapter, subject to appropriation in the general appropriations act. Moneys deposited into the fund shall be used for grants for programs to prevent the transmission of HIV/AIDS and other programs and activities consistent with the purposes of this chapter, including, but not limited to, preventing and treating HIV/AIDS in high-risk communities, creation of an HIV/AIDS service delivery system, and the administration of the chapter. Moneys for the fund shall come from appropriations by the general assembly, federal funds, and other public resources.

(b) The fund shall provide resources for high-risk communities in Tennessee to create an HIV/AIDS service delivery system that reduces the disparity of HIV/AIDS infection cases between African-Americans and other population groups that may be impacted by the disease by:

(1) Developing, implementing, and maintaining a comprehensive, culturally sensitive HIV prevention plan targeting communities identified as high-risk in terms of the impact of the disease on African-Americans;

(2) Developing, implementing, and maintaining a stable HIV/AIDS service delivery infrastructure in Tennessee communities that will meet the needs of African-Americans;

(3) Developing, implementing, and maintaining a statewide HIV/AIDS testing program;

(4) Providing funding for HIV/AIDS social and scientific research to improve prevention and treatment;

(5) Providing comprehensive technical and other assistance to African-American community service organizations that are involved in HIV/AIDS prevention and treatment;

(6) Developing, implementing, and maintaining an infrastructure for African-American community service organizations to make them less dependent on government resources;

(7) Creating and maintaining one-stop shopping HIV/AIDS facilities in communities designated by the department as high-risk across the state; and

(8) Providing an overview via public dissemination of local, regional, and national efforts concerning health disparities relating to African-Americans and HIV/AIDS.

(c) When awarding grants from the fund, the department shall give priority to the development of comprehensive medical and social services to African-Americans at risk of infection from or infected with HIV/AIDS in areas of the state determined by the

department to have the greatest geographic prevalence of HIV/AIDS in the African-American population.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.